

### REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on February 26, 2004, and the references cited therewith.

Claims 1, 13, and 16 have been amended, no claims are canceled, and no claims are added; as a result, claims 1-20 are now pending in this application.

Applicant respectfully submits that claims 1, 13, and 16 do not introduce any new subject matter and are intended to cover additional claimable subject matter fully supported by the originally filed specification.

#### §103 Rejection of the Claims

Claims 1-20 were rejected under 35 USC § 103(a) as being unpatentable over Autry, et al. (U.S. Patent No. 5,724,106) in view of Olsen, et al. (U.S. Patent No. 6,137,479). The rejection states in part that:

Autry et al. does not disclose wherein the influence on operation can include enabling a user to interact with at least one electronic device not coupled to the computer device.

In a similar field of endeavour, Olsen et al disclose in col. 4, lines 64-67 where the computer mouse can be programmed to perform other functions such as controlling auxiliary devices such as a television or a garage door opener. (Pages 2-3, Office Action).

In the Applicant's previous response (filed 12/3/2003), Applicant noted that in the various claimed embodiments the "influence on operation can include enabling a user to interact with at least one electronic device not coupled to the computer device" (Applicant's independent claims 1 and 13) and that the Applicant's pointing device "allows interaction with at least one electronic device not coupled to the computer device" (Applicant's independent claim 16).

Additionally, Applicant's independent claims 1 and 16, as amended herewith, recite "a number of control activators, each activator located on the pointing device in relation to an expected frequency of use".

And, Applicant's independent claim 13, as amended herewith, recites "generating at least one control signal in response to manipulation of at least one control activator from among a number of control activators of a pointing device that is operable to be communicatively coupled to a computer device, wherein each of

the number of control activators is located on the pointing device in relation to an expected frequency of use".

From the Applicant's review of both Autry and Olsen, Applicant is unable to locate any teaching or suggestion for the Applicant's claimed features and functionality. For example, the Applicant is unaware of any reference combination which teaches and/or suggests within a pointing device features and functionality that "allows interaction with at least one electronic device not coupled to the computer device" along with "a number of control activators, each activator located on the pointing device in relation to an expected frequency of use".

Support for the Applicant's claim amendments is located in the Applicant's specification as originally filed on Page 10, Paragraph [0037].

Applicant respectfully submits that each and every element and limitation of Applicant's independent claims 1, 13, and 16, as amended, is not taught or suggested, either independently or in combination, in the cited references. As such the references do not support a 103 rejection. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the 103 rejection for the above independent claims, as well as those claims which depend therefrom.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-8052.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: **MS AF** Commissioner for Patents, P.O. BOX 1450 Alexandria, VA 22313-1450, on this 19<sup>th</sup> day of April, 2004.

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